

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
WESTERN DIVISION

EVGENI KOSOGLIAD

PETITIONER

V.

CIVIL ACTION NO. 5:20-CV-127-DCB-MTP

SHAWN GILLIS, et al.

RESPONDENT

ORDER

This matter is before the Court on Magistrate Judge Michael T. Parker's Report and Recommendation [ECF No. 11]. No party filed objections to the Report and Recommendation, and the deadline for filing such objections has passed. Having reviewed the Report and Recommendation, the Petitioner's Notice of Change of Address [ECF No. 10] (the "Notice"), other submissions of the parties, and applicable law, the Court finds the Report and Recommendation to be well taken.

As the Magistrate Judge explained in the Report and Recommendation, the Petitioner stated in his Notice that he was granted release under supervision and currently resides in a private residence in New York. [ECF No. 11 at 1]. Because the Petitioner has been granted release from immigration custody (i.e., the relief sought by the Petitioner in his Petition for Writ of Habeas Corpus [ECF No. 1 at 40]; see Prayer for Relief ¶

2), the Court agrees with the Report and Recommendation that the Petition no longer presents a live case or controversy for purposes of satisfying Article III, Section 2, of the United States Constitution and should be dismissed as moot. See, e.g., Sanchez v. Att'y Gen., U.S., 146 F. App'x 547, 549 (3d Cir. 2005) (release of alien from immigration custody rendered his habeas petition moot).

Accordingly,

IT IS HEREBY ORDERED that the Magistrate Judge's Report and Recommendation [ECF No. 11] is ADOPTED as the findings and conclusions of this Court; and

IT IS FURTHER ORDERED that the Petition for Writ of Habeas Corpus [ECF No. 1] is DISMISSED as moot with prejudice.

A separate judgment will be entered in accordance with Federal Rule of Civil Procedure 58.

SO ORDERED this the 2nd day of June 2021.

/s/ David Bramlette  
UNITED STATES DISTRICT JUDGE